

**CITY COUNCIL MEETING  
JUNE 12, 2001**

<b>Date &amp; Time</b>	<b>On the 12<sup>th</sup> day of June, A.D., 2001, the City Council of the City of Fort Worth, Texas, met in regular session at 7:07 p.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:</b>
<b>Attendance</b>	<b>Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted.</b>
<b>Invocation</b>	<b>The invocation was given by Dr. Nicholals V. Gamvas, St. Demetrius Orthodox Church.</b>
<b>Pledge</b>	<b>The Pledge of Allegiance was recited.</b>
<b>Minutes</b>	<b>On motion of Council Member Silcox, seconded by Mayor Pro tempore McCloud, the minutes of the regular meeting of June 5, 2001, were approved unanimously.</b>
<b>Special Presentations</b>	<p><b>Council Member Lane presented an Honorary Citizenship to Mary E. Gamvas, Rye Beach, New Hampshire, daughter of Dr. Nicholas V. Gamvas. He also recognized Dr. Gamvas' mother and his brother in the audience, and presented keys to the City to Dr. Gamvas and daughter.</b></p> <p><b>Council Member Picht presented Certificates of Recognition to Erma Bonner Platte and Arnaldo Velez for their service on the City Zoning Commission and the Fort Worth Alliance Airport Zoning Commission. He also presented a Certificate of Recognition to Debbie Reynolds-Hazen for her service on the Historic and Cultural Landmarks Commission.</b></p> <p><b>Council Member Lane presented a Proclamation for Chisholm Trail Round-Up Days to rusty Witt, President of the event.</b></p> <p><b>Mayor Pro tempore McCloud presented a Proclamation for Migration Week to Chris Aufdembrink, representing Catholic Charities, and to Phuoc Mai.</b></p>
<b>Withdrawn from Consent Agenda</b>	<b>Council Member Moss requested that Mayor and Council Communication No. P-9391 be withdrawn from the consent agenda.</b>

City Manager Jackson requested that Mayor and Council Communication No. C-18620 be withdrawn from the consent agenda.

**Consent Agenda**      On motion of Council Member Davis, seconded by Council Member Wentworth, the consent agenda, as amended, was adopted unanimously.

**OCS-1219  
Claims**      There was presented Mayor and Council Communication No. OCS-1219 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

**G-13265  
Res. # 2736  
Increase Amount  
Paid to Kelly, Hart  
and Hallman**      There was presented Mayor and Council Communication No. G-13265 from the City Manager recommending that the City Council adopt Resolution No. 2736 authorizing the amount to be paid to Kelly, Hart and Hallman for legal services to represent the City in the case of Elizabeth "Jay" Seymour, Pamela Denise Wright, and Patricia Hale v. B. Don Magness and the City of Fort Worth, Cause No. 352-174866-98, be increased from \$400,000.00 to \$465,000.00. It was the consensus of the City Council that the recommendation be adopted.

**G-13266  
Res. # 2737  
Increase Amount  
Paid to Jerry Murad**      There was presented Mayor and Council Communication No. G-13266 from the City Manager recommending that the City Council adopt Resolution No. 2737 authorizing the amount to be paid to Jerry Murad for legal services to represent Police Officer L. W. Goodman in the lawsuit of Luis T. Hernandez et al vs. City of Fort Worth et al, Civil Action No. 4:99-CV-318-Y, be increased from \$30,000.00 to \$65,000.00. It was the consensus of the City Council that the recommendation be adopted.

**G-13267  
Reallocation of  
Funds for  
Polytechnic Model  
Blocks and Contract  
With Polytechnic  
Community  
Development  
Corporation**      There was presented Mayor and Council Communication No. G-13267 from the City Manager recommending that the City Council:

1. Reallocate \$160,000.00 from years XXIII and XXIV Community Development Block Grant (CDBG) funds for the Purchase/Rehab/Resale Program administered by the City of Fort Worth (CFW) to the Polytechnic Community Development Corporation, Inc. (PCDC) for Minor Home

**Repair, Economic Development and Community Facilities, Street Signs, Program Operating Support and Housing Development Fund; and**

- 2. Reallocate the unexpended balance of \$31,622.17 for School Zone Lights (Year XXIII CDBG) to the PCDC for Program Operating Support; and**
- 3. Reallocate \$110,931.30 from the CFW New Construction Fund (1997 HOME) to the PCDC for Fort Worth Housing Finance Corporation (FWHFC) for infill housing and PCDC Housing Development Fund; and**
- 4. Reallocate \$23,784.54 in CFW Soft Second Assistance (Year XXIV CDBG) and \$9,000.00 in CFW Closing Cost Assistance (Year XXIII CDBG) to the PCDC Housing Development Fund; and**
- 5. Authorize the City Manager to:**
  - a) Enter into a contract with the PCDC to operate the minor home repair, economic development/ community facilities and housing development programs for the Polytechnic Model Blocks; and**
  - b) Authorize amendment of the contract with the FWHFC to increase the funds for infill housing for the Polytechnic Model Blocks; and**
  - c) Authorize amendment, extension, or renewal of the above contracts in accordance with City policy to meet the objectives of the Polytechnic Model Blocks; and**
- 6. Authorize amendment of the City's Years XXIII and XXIV Annual Consolidated Plans to reflect the reallocation of funds above.**

**Council Member Moss made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.**

**G-13268  
Ord. # 14657  
Restricting Sale of  
Alcoholic  
Beverages, Revising  
Fee Schedule for  
Permits, and  
Changing  
Measurement  
Method**

There was presented Mayor and Council Communication No. G-13268 from the City Manager recommending that the City Council adopt Ordinance No. 14657 amending Chapter 4 of the Code of the City of Fort Worth, "Alcoholic Beverages", reflecting increase in annual fee for holders of package store permits; clarifying fee for daily temporary mixed beverage permits; repealing fee for medicinal permits effective September 1, 2001; restricting sale of alcoholic beverages within 300 feet of private schools; restricting sale of alcoholic beverages within 1,000 feet of private schools, if requested by governing body of school; and modifying measurement method from public or private school to business selling alcoholic beverages in multistory building.

**Betty Harvey**

Ms. Betty Harvey, 4805 Brockton Ct., representing All Saints' Episcopal School, appeared before the City Council and expressed appreciation to the Council for hearing what the students were requesting in the Teen Townhall meeting and following up with appropriate legislature whereby the Council could adopt an ordinance that would prohibit the sell of alcohol near private schools.

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**G-13269  
MT-01-004 Master  
Thoroughfare Plan  
Amendment**

There was presented Mayor and Council Communication No. G-13269 from the City Manager recommending that the City Council adopt the proposed amendment to the 1990 Master Thoroughfare Plan, MT-01-004, to delete the proposed Western Center Boulevard from Old Decatur Road to Bob Hanger Street, and to delete the proposed north-south minor arterial from Western Center Boulevard to W. J. Boaz Road. Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**G-13270  
Warranty Deed for  
Dale Earnhardt Way**

There was presented Mayor and Council Communication No. G-13270 from the City Manager recommending that the City Council accept a General Warranty Deed from the Fort Worth Sports Authority, Inc. for land that comprises the right-of-way for Dale Earnhardt Way.

City Attorney Yett advised Council that this Mayor and Council Communication should be approved with the inclusion of the exhibit handed out in Pre-Council meeting.

Council Member Lane made a motion, seconded by Council Member Silcox, that the recommendation be adopted, with inclusion of exhibit. The motion carried unanimously.

**P-9372  
Aerial Platform  
Truck**

There was presented Mayor and Council Communication No. P-9372, dated May 29, 2001, from the City Manager recommending that the City Council authorize the purchase of one aerial platform truck from Commercial Body Corporation for the Transportation and Public Works Department based on the low bid for a cost not to exceed \$113,645.00 with payment due within 30 days from receipt of the invoice. Council Member Davis made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried unanimously.

**P-9391  
Water Treatment  
Chemicals**

There was presented Mayor and Council Communication No. P-9391 from the City Manager recommending that the City Council authorize a purchase agreement for water treatment chemicals with multiple vendors for the Water Department based on the low bid of unit prices provided by the primary and secondary vendors meeting specifications, freight is included in the unit price and payment is due 30 days from receipt of the invoice; reject bids received for Item 15 (Polymer); and authorize this agreement to begin June 12, 2001, and expire June 11, 2002, with options to renew for two additional one-year periods with the exception of Items 7 and 8 to expire in one year with no renewal options.

Council Member Moss made a motion, seconded by Council Member Silcox, that Mayor and Council Communication No. P-9391 be approved with the exception of Item 7, which would be continued for one week. The motion carried unanimously.

**P-9392  
OEM Compatible  
Automotive Air  
Conditioning Parts**

There was presented Mayor and Council Communication No. P-9392 from the City Manager recommending that the City Council authorize a purchase agreement for OEM (original equipment manufacturer) compatible automotive air conditioning parts with Chandlers Auto Parts for the City Services Department; prices will be based on the best discount of Jobber's list price, less the discounts as listed on the bid

tabulation; payment is due 30 days from the date the invoice is received; with City taking ownership at the City's facilities, freight is not charged, and authorize this agreement to begin June 12, 2001, and expire June 11, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9393  
Vehicle Detector  
Loop Wire Sealant**

There was presented Mayor and Council Communication No. P-9393 from the City Manager recommending that the City Council authorize purchase agreements for vehicle detector loop wire sealant with multiple vendors for the Transportation and Public Works Department, Lights and Signal Division, based on the low bid by line item, with payment due 30 days from the date of the invoice and authorize this agreement to begin June 12, 2001 and expire June 11, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9394  
OEM Lectric Lites  
Light Bars and Parts**

There was presented Mayor and Council Communication No. P-9394 from the City Manager recommending that the City Council authorize a purchase agreement for OEM (original equipment manufacturer) Lectric Lites light bars and parts with United Rentals Highway Technologies, L.P. for the City Services Department. Prices will be based on the best discount of Jobber's list price less discounts. Payment is due 30 days from the date the invoice is received. The City takes ownership at the City's facilities, freight is not charged, and authorize this agreement to begin June 12, 2001, and expire June 11, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**L-13071  
Acquisition of  
Residential Property  
for Meacham Airport  
Mitigation Program**

There was presented Mayor and Council Communication No. L-13071 from the City Manager recommending that the City Council authorize the acquisition of a single-family residence (Parcel No. 625), located at 3413 Clinton Avenue, Fort Worth, Texas, from the estate of Victoria B. Ozuna Rodriguez, for the Meacham International Airport Mitigation Program (DOE 3138); find that the price offered in the amount of \$44,500.00 is just compensation; and authorize the acceptance and recording of the appropriate instruments. It was the consensus of the City Council that the recommendation be adopted.

**L-13072  
Permanent  
Waterline Easement**

There was presented Mayor and Council Communication No. L-13072 from the City Manager recommending that the City Council approve the acceptance of one permanent waterline easement described as A-649, Sam Huff Survey, Tarrant County, Texas, from Keller Joint Venture (DOE 3173) necessary for the construction and maintenance of a waterline to extend service to Caylor Road, for a cost of \$1.00. It was the consensus of the City Council that the recommendation be adopted.

**L-13073  
Permanent Utility  
and Right-of-Way  
Easements**

There was presented Mayor and Council Communication No. L-13073 from the City Manager recommending that the City Council approve the acceptance of four permanent utility easements and two permanent right-of-way easements described as A-1711 and A-267, F. Cuella Survey; A-265, J. Chirino Survey; and Lot 1, Block 2, Alliance Gateway North Addition from AIL Investments, LP (DOE 2501, 3173, 3201, and 3329) necessary for the construction and maintenance of utilities to serve the property and surrounding areas located on Henrietta Creek, for a total cost of \$6.00. It was the consensus of the City Council that the recommendation be adopted.

**L-13074  
Lease Office Space  
– 2509 Merrick  
Street**

There was presented Mayor and Council Communication No. L-13074 from the City Manager recommending that the City Council authorize the City Manager to execute a lease extension with Tracy L. Kobs, Robert W. Dowling, and Emily Dowling for office space located at 2509 Merrick Street for a Neighborhood Policing District Headquarters at a cost of \$39,600.00 per year and approve the lease extension term of one year beginning June 1, 2001, and expiring May 31, 2002. It was the consensus of the City Council that the recommendation be adopted.

**L-13075  
Park Dedication  
from Bill H.  
Bowerman**

There was presented Mayor and Council Communication No. L-13075 from the City Manager recommending that the City Council accept the park dedication of 2.22 acres of land described as Lot 1, Block 12, W. W. Wheat Survey, Abstract 1646, City of Fort Worth, from Bill H. Bowerman, Trustee, for Trail Lake Estates. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2301  
Annexation of  
1,533.2 Acres of  
Various Surveys**

There was presented Mayor and Council Communication No. PZ-2301 from the City Manager recommending that the City Council institute annexation of 1,533.2 acres (2.4 square miles) of land, more or less, out of the C. C. Pace Survey, Abstract No. 1245, the Benjamin Thomas Survey, Abstract No. 1497, the W. Thompson Survey, Abstract No. 1559, the G. T. Walters Survey, Abstract No. 1696, the R. Whitley Survey, Abstract No. 1672, the J. N. Reed Survey, Abstract No. 1362, the J. A. Gill Survey, Abstract No. 570, the Thomas Hicks Survey, Abstract No. 1818, the T&PRR Co. Survey, Abstract No. 1568, the MEP&PRR Co. Survey, Abstract No. 1138, the S.C.T. Ford Survey, Abstract No. 531, and the W. E. Boswell Survey, Abstract No. 1852, Tarrant County, Texas, and continue annexation of the property to June 19, 2001.

**Mike Conrads  
Bryan Holland  
Jim Schell**

The following individuals appeared in support of Council instituting the annexation proceedings, but requesting that the adoption of the annexation ordinance be delayed for one week:

**Mike Conrads, representing Realty Capital Corporation, 1111 S. Main Street, Grapevine**

**Bryan Holland, representing Realty Capital Corporation, 1111 S. Main Street, Grapevine**

**Jim Schell, representing J & P Bonds, 901 Fort Worth Club**

Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted, as amended, with the deletion of the last sentence of Paragraph 1 under the Discussion section. The motion carried unanimously.

**C-18613  
MCI Metro Access  
Transmission  
Services, LLC**

There was presented Mayor and Council Communication No. C-18613 from the City Manager recommending that the City Council authorize the City Manager to execute a Public Right-of-Way Use Agreement with MCI Metro Access Transmission Services, LLC. It was the consensus of the City Council that the recommendation be adopted.

**C-18614  
Extend CSC # 23885  
– Mitchell Blvd.  
Development  
Corporation**

There was presented Mayor and Council Communication No. C-18614 from the City Manager recommending that the City Council:



- 1. Authorize the City Manager to extend City Secretary Contract (CSC) No. 23885, as amended by CSC Nos. 26058 and 24607, with the Mitchell Boulevard Development Corporation (MBDC) Inc., for one year from the date of execution of the contract amendment; and**
- 2. Authorize the reallocation of \$31,600.00 in Year XXII Community Development Block Grant Funds, previously contracted with the MBDC for their Exterior Home Beautification Matching Grant fund, to program support; and**
- 3. Authorize the City Manager to extend the contract with the MBDC, if they request an extension; and**
- 4. Authorize amendment of the contract, if necessary, to achieve project goals, provided that the amendment is within the scope of the project and in compliance with applicable laws and regulations.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18615  
Texas Christian  
University**

**There was presented Mayor and Council Communication No. C-18615 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Texas Christian University authorizing use of the right-of-way to install conduits under the 2900 Block of South University Drive. It was the consensus of the City Council that the recommendation be adopted.**

**C-18616  
Performing Arts Fort  
Worth**

**There was presented Mayor and Council Communication No. C-18616 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Performing Arts Fort Worth authorizing the installation of canopies and pylon signs for Maddox Muse Center. It was the consensus of the City Council that the recommendation be adopted.**

**C-18617  
Ord. # 14658  
Change Order # 1 -  
CSC # 26281 –  
Peachtree  
Construction**

**There was presented Mayor and Council Communication No. C-18617 from the City Manager recommending that the City Council:**

- 1. Authorize the City Manager to transfer \$65,425.00 from the Water and Sewer Operating Fund to the Water Capital Project Fund in the amount of \$49,068.75 and the Sewer Capital Project Fund in the amount of \$16,356.25; and**
- 2. Adopt Appropriation Ordinance No. 14658 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$49,068.75 and in the Sewer Capital Project Fund in the amount of \$16,356.25 from available funds for the purpose of funding Change Order No. 1 to HMAC Surface Overlay 2000-6 at various locations; and**
- 3. Authorize the City Manager to execute Change Order No. 1 to City Secretary Contract No. 26281 with Peachtree Construction in the amount of \$130,850.00 to provide for adjustments in quantities of pay items, thereby increasing the total contract amount to \$810,431.50.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18618  
Ord. # 14659  
TxDOT**

**There was presented Mayor and Council Communication No. C-18618 from the City Manager recommending that the City Council:**

- 1. Adopt Appropriation Ordinance No. 14659 increasing the estimated receipts and appropriations in the Street Improvement Fund in the amount of \$10,982.56 from available funds for the purpose of funding an agreement with the Texas Department of Transportation (TxDOT) for the furnishing of traffic signal equipment; and**
- 2. Authorize the City Manager to execute an agreement with TxDOT for the furnishing of traffic signal equipment by the City at North Tarrant Parkway/Riverside Drive and North Tarrant Parkway/Park Vista Boulevard.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18619  
Ord. # 14660  
Burleson Utilities,  
Inc.**

**There was presented Mayor and Council Communication No. C-18619 from the City Manager recommending that the City Council:**

- 1. Authorize the transfer of \$370,230.30 from the Water and Sewer Operating Funds to the Water Capital Project Fund in the amount of \$202,563.67 and the Sewer Capital Project Fund in the amount of \$167,666.63; and**
- 2. Adopt Appropriation Ordinance No. 14660 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$202,563.67 and in the Sewer Capital Project Fund in the amount of \$167,666.63 from available funds for the purpose of funding a contract with Burleson Utilities, Inc. for Water and Sewer Replacement Contract 98BB; and**
- 3. Authorize the City Manager to execute a contract with Burleson Utilities, Inc. in the amount of \$329,093.60 and 85 working days for Water and Sewer Replacement Contract 98BB.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18620  
Change Order No. 1  
– CSC # 26424 –  
Duininck Brothers,  
Inc.**

**There was presented Mayor and Council Communication No. C-18620 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 1 to City Secretary Contract No. 26424 with Duininck Brothers, Inc. in the amount of \$22,076.23 for additional work and increased quantities for construction of Taxiway Kilo “K” at Meacham International Airport, thereby increasing the contract amount to \$234,252.28.**

**City Manager Jackson advised Council that the Discussion section needed to be amended to add the following language: Duinick Brothers, Inc. is in compliance with the City’s M/WBE Ordinance by committing to an additional 18 percent DBE participation on this change order No. 1.**

**Council Member Lane made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. C-18620 be approved, as amended. The motion carried unanimously.**

**C-18621  
Teague Nall and  
Perkins**

**There was presented Mayor and Council Communication No. C-18621 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering agreement with Teague Nall and Perkins, Inc. to prepare plans and specifications for water and sewer extension for the Lake Crest Estates area (Annexation A-00-18) for a fee not to exceed \$428,383.00. It was the consensus of the City Council that the recommendation be adopted.**

**C-18622  
Ord. # 14661  
Ord. # 14662  
DMJM Aviation**

**There was presented Mayor and Council Communication No. C-18622 from the City Manager recommending that the City Council:**

- 1. Adopt Appropriation Ordinance No. 14661 increasing the estimated receipts and appropriations in the Capital Projects Reserve Fund in the amount of \$12,910.00 from available funds for the purpose of funding Amendment No. 1 for an engineering agreement with DMJM Aviation for review of preliminary engineering report and facility recommendations for Runway 16L/34R at Fort Worth Meacham International Airport; and**
- 2. Authorize the transfer of \$12,910.00 from the Capital Projects Reserve Fund to the Aviation Improvements Capital Projects Fund; and**
- 3. Adopt Appropriation Ordinance No. 14662 increasing the estimated receipts and appropriations in the Aviation Improvements Capital Projects Fund in the amount of \$12,910.00 from available funds for the purpose of funding Amendment No. 1 for an engineering agreement with DMJM Aviation for review of preliminary engineering report and facility recommendations for Runway 16L/34R at Fort Worth Meacham International Airport.**
- 4. Authorize the City Manager to execute Amendment No. 1 with DMJM Aviation for an Engineering Report and Facility Recommendation for Runway 16L/34R at Fort Worth Meacham International Airport in the amount of \$12,910.00.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18623  
Change Order No. 3  
– CSC # 26208 -  
Archer Western  
Contractors, Inc.**

There was presented Mayor and Council Communication No. C-18623 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 3 to City Secretary Contract No. 26208 with Archer Western Contractors, Ltd. for Construction of the Village Creek Wastewater Treatment Plant Digester Gas Fired Turbine Generators General Construction Contract, in the amount of \$341,972.54, revising the total contract cost to \$2,755,900.68. It was the consensus of the City Council that the recommendation be adopted.

**C-18624  
Freese & Nichols,  
Inc.**

There was presented Mayor and Council Communication No. C-18624 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering agreement with Freese & Nichols, Inc. for construction management and design support for the Rolling Hills Water Treatment Plant 40 MGD (million gallons per day) Facilities Upgrade, Phase I (Ozone Facilities), for a total fee not to exceed \$1,557,910.00. It was the consensus of the City Council that the recommendation be adopted.

**C-18625  
Humphrey and  
Morton Construction  
Company, Inc.**

There was presented Mayor and Council Communication No. C-18625 from the City Manager recommending that the City Council confirm the award of contract to Humphrey and Morton Construction Company, Inc. for Martha Lane Channel Repairs, Sandy Lane to Station 208+00 in the amount of \$212,650.30. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

Council Member Davis requested that Zoning Docket No. Z-01-040 be moved forward on the agenda so that she could vote on this item before she would leave to catch a flight.

There being no objection, Zoning Docket No. Z-01-040 was heard at this time.

**Z-01-040  
Approved**

It appeared that the City Council, at its meeting of May 8, 2001, continued the hearing of the application of Trinity/Partners by H. Dennis Hopkins for a change in zoning of property located in the 5500 Block of Stuart Phelps Road from "C" Multi-Family, "E" Commercial, "G" Commercial and "I" Light Industrial to "A-

**43” One-Family, “C” Multi-Family, “E” Commercial and “G” Commercial, Zoning Docket No. Z-01-040. Mayor Barr asked if there was anyone present desiring to be heard.**

**Madelyn Gibbs**

**Ms. Madelyn Gibbs, representing District 6 Alliance, 4601 Foxfire, along with Cheryl Koirtyhann and Eva Bonilla, appeared before the City Council neither supporting nor opposing the zoning, but requested that they be notified of zoning changes affecting their community. She stated that they supported the Comprehensive Plan, but expressed the need for open dialogue with the developers.**

**H. Dennis Hopkins**

**Mr. H. Dennis Hopkins, representing the applicant, Trinity/Partners, 6850 Manhattan Blvd., appeared before the City Council and advised that there was 353 plus acres, and a TXU right of way running through the middle of the property. He stated that they were requesting 122 lots to be developed on one-acre tracts in single-family and requested Council approval.**

**There being no one else present desiring to be heard, Council Member Picht made a motion, seconded by Council Member Silcox, that the application of Trinity/Partners by H. Dennis Hopkins for a change in zoning of property located in the 5500 Block of Stuart Phelps Road from “C” Multi-Family, “E” Commercial, “G” Commercial and “I” Light Industrial to “A-43” One-Family, “C” Multi-Family, “E” Commercial and “G” Commercial, Zoning Docket No. Z-01-040, be approved. The motion carried by the following vote:**

**AYES: Council Members Lane, Silcox, Moss, Picht, and Wentworth**

**NOES: Mayor Barr; Mayor Pro tempore McCloud; Council Members Haskin and Davis**

**ABSENT: None**

**Council Member Davis excused herself from the Council table at this time.**

**Citizen  
Presentations  
Edward Drew**

Mr. Edward Drew, 1901 Stephenson Street, appeared before City Council concerning immediate home purchasing plans.

**Dinah Ogbondah**

Ms. Dinah Ogbondah, 1608 Amanda Avenue, appeared regarding the condition of the property located behind her home and requested that she be allowed to purchase the property so that she could cut down the brush and trees and clear the debris. Mayor Barr referred Ms. Ogbondah to Assistant City Manager Libby Watson.

**Z-00-103  
Continued until  
September 11, 2001**

It appeared that the City Council, at its meeting of March 20, 2001, continued the hearing of the application of Texas Housing & Economics Resources by H. Dennis Hopkins for a change in zoning of property located in the 4900 Block of Glen Eden from "C" Multi-Family and "F" Commercial to "A-5" One-Family, Zoning Docket No. Z-00-103. Mayor Barr advised Council that there was a letter submitted requesting that this application be continued until the September 11, 2001, City Council hearing. He asked if there was anyone present desiring to be heard.

There being no one else desiring to be heard, Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the application of Texas Housing & Economics Resources by H. Dennis Hopkins for a change in zoning of property located in the 4900 Block of Glen Eden from "C" Multi-Family and "F" Commercial to "A-5" One-Family, Zoning Docket No. Z-00-103, be continued until September 11, 2001. The motion carried unanimously.

**Z-01-023  
Approved**

It appeared that the City Council, at its meeting of May 8, 2001, continued the hearing of the application of TXU Electric Co., by H. Dennis Hopkins for a change in zoning of property located in the 7500-7800 Blocks of Calmont Avenue from "CF" Community Facilities to "PD/SU" Planned Development/Specific Use for all uses in "G" Commercial except bars; taverns; cocktail lounges; clubs, private or teen; gambling facilities, including bingo; sexually oriented business; shooting or weapons firing ranges; swimming pools; stables, commercial, riding or rodeo arenas; and drive in theaters and waiver of site plan recommended, Zoning Docket No. Z-01-023. Mayor Barr asked if there was anyone present desiring to be heard.

Council Member Moss informed Council that he had a conflict, that he had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting on this issue.

There being no one else present desiring to be heard, Council Member Silcox made a motion, seconded by Council Member Lane, that the application of TXU Electric Co., by H. Dennis Hopkins for a change in zoning of property located in the 7500-7800 Blocks of Calmont Avenue from "CF" Community Facilities to "PD/SU" Planned Development/Specific Use for all uses in "G" Commercial except bars; taverns; cocktail lounges; clubs, private or teen; gambling facilities, including bingo; sexually oriented business; shooting or weapons firing ranges; swimming pools; stables, commercial, riding or rodeo areas; and drive in theaters and waiver of site plan recommended, Zoning Docket No. Z-01-023, be approved.

Council Member Haskin made a substitute motion to approve this application, but with a site plan required. The motion died for lack of a second.

Council Member Haskin excused herself from the table at this time.

The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Lane, Silcox, Picht, and  
Wentworth

NOES: None

ABSENT: Council Members Haskin and Davis

NOT VOTING: Council Member Moss

Regular Zoning  
Hearing

It appeared to the City Council that Resolution No. 2725 was adopted on May 15, 2001, setting today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Commercial Recorder the official newspaper of the City of Fort Worth, on May 24, 2001. Mayor Barr asked if there was anyone present desiring to be heard.



Robert H. Voelker      Mr. Robert H. Voelker, 700 E. Sandy Lake Road, Suite 146, Coppell, appeared in favor of Simon Joint Ventures, requested zoning change, Zoning Docket No. Z-01-037.

Z-01-037  
Approved      Council Member Moss made a motion, seconded by Council Member Lane, that the application of Simon Joint Ventures by Deen-Fort Worth Associates L.P. for a change in zoning of property located at 3700 Deen Road from "K" Heavy Industrial to "CR" Multi-Family, Zoning Docket No. Z-01-037, be approved. The motion carried unanimously.

Z-01-051  
Ord. # 14663  
Approved      It appeared to the City Council that Resolution No. 2725 was adopted on May 15, 2001 setting today as the date for the hearing in connection Zoning Docket No. Z-01-051, Text Amendment amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth, Section 8.101, "Violations and Penalties", to provide minimum fines for persons with multiple convictions for violation of the Zoning Ordinance within a three-year period. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one else desiring to be heard in connection with the Text Amendment amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth, Section 8.101, "Violations and Penalties", to provide minimum fines for persons with multiple convictions for violation of the Zoning Ordinance within a three-year period, Council Member Moss made a motion, seconded by Council Member Silcox, that Zoning Docket No. Z-01-051, be approved and that the following ordinance be adopted:

**ORDINANCE NO. 14663**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, SECTION 8.101, "VIOLATIONS AND PENALTIES", TO PROVIDE MINIMUM FINES FOR PERSONS WITH MULTIPLE CONVICTIONS FOR VIOLATION OF THE ZONING ORDINANCE WITHIN A THREE-YEAR PERIOD; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The motion carried unanimously.

**Z-01-053  
Continued until  
June 19, 2001**

**Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the application of Realty Capital Corporation for a change in zoning of property located South of Bonds Ranch Road and West of U.S. Business 287 from “Unzoned” to “PD/SU” Planned Development/Specific Use for mixed use residential and commercial and site plan required, Zoning Docket No. Z-01-053, be continued until June 19, 2001. The motion carried unanimously.**

**SP-01-011  
Approved**

**Council Member Moss made a motion, seconded by Council Member Silcox, that the application of The Academy at Waterchase for a change in the Site Plan on property located at 8990 Creek Run Road, amendment for “PD 334” to utilize a previous maintenance facility as a dormitory, Site Plan No. SP-01-011, be approved. The motion carried unanimously.**

**Z-01-054  
Approved**

**Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the application of Margie Robinson Norman by T. David Skinner for a change in zoning of property located in the 1200 Block of Oak Grove Road (SW Corner of FM 1187), from “B” Two-Family and “C” Multi-Family to “B” Two-Family and “E” Commercial, Zoning Docket No. Z-01-054, be approved. The motion carried unanimously.**

**Z-01-055  
Approved**

**Council Member Moss made a motion, seconded by Council Member Silcox, that the application of Paul T. Sullivan by Genesis Homes for a change in zoning of property located in the 2400 Block of Cooks Lane (Dottie Lynn Pkwy), from “E” Commercial to “A-5” One-Family, Zoning Docket No. Z-01-055, be approved. The motion carried unanimously.**

**Z-01-056  
Approved**

**Council Member Picht made a motion, seconded by Mayor Pro tempore McCloud, that the application of Hulen Park Ventures, LLC. for a change in zoning of property located at 4432 Pebblestone Drive from “A-5” One-Family to “CF” Community Facilities, Zoning Docket No. Z-01-056, be approved. The motion carried unanimously.**

**Z-01-057  
Approved**

**Council Member Silcox made a motion, seconded by Mayor Pro tempore McCloud that the application of Texas Christian University by Willett R. Stallworth for a change in zoning of property located at 3572 Bellaire Drive from “C” Multi-Family to “CF” Community Facilities, Zoning Docket No. Z-01-057, be approved. The motion carried unanimously.**

**Council Member Haskin assumed her chair at the Council table at this time.**

**Z-01-065  
Approved**

**Council Member Moss made a motion, seconded by Council Member Lane, that the application of City of Fort Worth Historic and Cultural Landmarks Commission for a change in zoning of property located at 6472 E. Lancaster Avenue from “I” Light Industrial to “I/HC” Light Industrial/Historic and Cultural Landmark, Zoning Docket No. Z-01-065, be approved. The motion carried unanimously.**

**Z-01-066  
Approved**

**Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the application of City of Fort Worth Historic & Cultural Landmarks Commission for a change in zoning of property located at 658 Page/2315 College Avenue (E.M. Daggett Elementary) from “B” Two-Family to “B/HC” Two-Family/Historic and Cultural Landmark, Zoning Docket No. Z-01-066, be approved. The motion carried unanimously.**

**Z-01-067  
Approved**

**Council Member Silcox made a motion, seconded by Council Member Picht, that the application of Fort Worth Osteopathic Hospital dba Osteopathic Medical Center for a change in zoning of property located in the 7400 Block of Oakmont Boulevard from “G” Commercial to “C” Multi-Family, Zoning Docket No. Z-01-067, be approved. The motion carried by the following vote:**

**AYES: Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Lane, Silcox, Moss,  
Picht, and Wentworth**

**NOES: Council Member Haskin**

**ABSENT: Council Member Davis**

**Z-01-068  
SP-01-012  
Approved**

**Council Member Haskin made a motion, seconded by Council Member Moss, that the application of Marci and Merrick McMains by Grover McMains for a change in zoning of property located at 1417 8<sup>th</sup> Avenue (1418 Harley) from “E/HC” Commercial/Historic and Cultural Landmark, “C/HC” Multi-Family/Historic and Cultural Landmark, and “E” Commercial to “PD/SU/HC” Planned Development/Specific Use/Historic and Cultural Landmark for a bed and breakfast hotel, Zoning Docket No. Z-01-068 and Site Plan No. SP-01-012, be approved. The motion carried unanimously.**

**Z-01-070  
Approved**

**Council Member Wentworth made a motion, seconded by Council Member Silcox, that the application of 607 & Marcreek Farms Joint Ventures by James R. Harris Co. for a change in zoning of property located in the 6800 Block of Bob Hanger across to 6800 Old Decatur Road from "C" Multi-Family and "E" Commercial to "PD" Planned Development/Residential for all uses in "R1" limited to a density of six residential units per acre, and site plan required, Zoning Docket No. Z-01-070, be approved.**

**Bob Riley, Director of Development Department, appeared and advised Council that a portion of Zoning Docket No. Z-01-070 was recommended for denial at the request of the applicant.**

**Jim Schell**

**Mr. Jim Schell, 901 Fort Worth Club, representing the applicant, 607 & Marcreek Farms, appeared before the City Council and explained that part of the compromise was making this a PD/SU Zoning to allow all uses in "R1" with protective limitations.**

**Carl Piccolo**

**Mr. Carl Piccolo, 5550 Northfield, President of Marine Creek Hills Association, appeared and advised Council that the neighborhood was in favor of the compromise settlement reached with the developer.**

**The motion carried unanimously.**

**Council Member Haskin inquired whether this small piece of triangular property on Zoning Docket No. Z-01-071 adjoined the mobile home park and Council Member Moss informed her that it did.**

**Z-01-071  
Approved**

**Council Member Moss made a motion, seconded by Council Member Silcox, that the application of 820/Martin Development by James W. Schell for a change in zoning of property located at 5000-5200 East Loop 820S (Service Road) from "C" Multi-Family to "MH" Manufactured Housing, Zoning Docket No. Z-01-071, be approved. The motion carried unanimously.**

**Z-01-002  
Denied Without  
Prejudice/Withdrawn**

**Council Member Haskin made a motion, seconded by Council Member Wentworth, that the application of Sam Timmons by Huitt-Zollars, Inc. for a change in zoning of property located in the 3300 Block of White Settlement Road from "E" Commercial to "FR" Restricted Commercial, Zoning Docket No. Z-01-002, be denied without prejudice. The motion carried unanimously.**

**Chris Bonilla**                      **Mr. Chris Bonilla, 3204 S Main, representing the applicant, Fred C. & Emma E. Alvarado, appeared in support of the requested zoning change of property located at 2620 NW 32<sup>nd</sup> Street from “B” Two-Family to “E” Commercial, Zoning Docket No. Z-01-012, and presented a petition of supporters.**

**Z-01-012  
Denied**                              **Council Member Lane made a motion, seconded by Council Member Silcox, that the application of Fred C. and Emma E. Alvarado by C. R. Bonilla for a change in zoning of property located at 2620 NW 32<sup>nd</sup> Street from “B” Two-Family to “E” Commercial, Zoning Docket No. Z-01-012, be denied. See Letter of Appeal. The motion carried unanimously.**

**Z-01-017  
Withdrawn Without  
Prejudice**                              **Council Member Moss made a motion, seconded by Council Member Haskin, that the application of City of Fort Worth Planning Department for a change in zoning of property located at Lake Arlington, from “B” Two-Family, “C” Multi-Family, “E” Commercial, “FR” Restricted Commercial, and “I” Light Industrial to “A-5”, “A-7.5” and “A-10” One-Family, Zoning Docket No. Z-01-017, be withdrawn without prejudice:**

**Attachment – Z-01-017 – Lake Arlington**

**Tract 7                      3900-4000 Block of Casa Loma Terrace  
5800-6000 Block of Eastland Street  
5800-6000 Block of Grayson Street  
5800-6000 Block of Montague Street  
5800-6000 Block of Baylor Street**

**Tract 12                      5700-6500 Willbarger Road  
3800-4300 Block of S. Cravens Road  
5800-5900 Block of Oakdale Drive  
5700-5900 Block of Whittlesey Road  
4200-5900 Block of E Loop 820 S  
5700-5900 Block of Wilkes Drive  
5700-5900 Block of Asbury Avenue**

**Tract 13                      5700-6500 Willbarger Road  
3800-4300 Block of S. Cravens Road  
5700-5900 Block of Whittlesey Road**

**Tract 14                      3800-4300 Block of S. Cravens Road  
5700-5900 Block of Whittlesey Road**

**Tract 21      4200-5900 Block of E. Loop 820 S**

**Tract 25      5400-5700 Block of Vesta Farley Road  
5500-5700 Block of Kaltenbrun Road  
4700 Block of Lake Park Drive  
4700 Block of Michelle Drive**

**Harry McDaniels  
Gloria McDaniels  
Amelia Rodriguez  
Vaughn Bailey**

**The following individuals appeared in support of the proposed denial of Zoning Docket No. Z-01-017:**

<b>Harry McDaniels</b>	<b>3630 Avenue I</b>
<b>Gloria McDaniels</b>	<b>3630 Avenue I</b>
<b>Amelia Rodriguez</b>	<b>5933 Wilbarger St.</b>
<b>Vaughn Bailey</b>	<b>3340 Camp Bowie Boulevard</b>

**Ms. Vanessa Boling, Director of Human Relations, appeared and advised Council that Messrs. Jose Cruz and Manuel Cordero's properties were not included in the zoning case and staff provided them with information and they had left the meeting.**

**Jo Ellen Mathews**

**Ms. Jo Ellen Mathews, 5729 Wilbarger, appeared and advised Council that much of their neighborhood had changed over to commercial and industrial and she was in favor of the area remaining single family.**

**The motion carried unanimously.**

**Z-01-032  
Continued until July  
24, 2001**

**It appeared that the City Council, at its meeting of May 15, 2001, continued the hearing of Zoning Docket No. Z-01-032, Text Amendment amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth, by amending Chapter 9 to add definitions of food vendors, temporary vendors, and transient vendors, amending Section 5.406 to establish regulations concerning temporary vendors, amending the Residential District Use Table in Section 4.603 to add vendor, transient as a use by right under temporary uses starting with the A-43 District, amending the Non-Residential Use Table in Section 4.603 to add mobile vendors under the temporary uses, to exempt all events/activities/festivals approved by the Board of Adjustment under Section 5.400 of the Zoning Ordinance entitled "Amusement, Outdoor (Temporary)", all events/activities/festivals approved by City**

Council, and all events/activities/festivals open to the public for the purpose of providing entertainment, food and/or sales of merchandise that last no longer than three days. Mayor Barr asked if there was anyone present desiring to be heard.

Vicki Bargas

Ms. Vicki Bargas, 301 E. Drew, appeared and requested Council consider some type of regulation of food vendors.

There being no one else desiring to be heard in connection with the Text Amendment amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth, by amending Chapter 9 Mayor Pro tempore McCloud made a motion, seconded by Council Member Wentworth, that Zoning Docket No. Z-01-032, be continued until July 24, 2001. The motion carried unanimously.

Z-01-070  
Denied

It appeared that the City Council, at its meeting of May 15, 2001, continued the hearing of Zoning Docket No. Z-01-070, application of 607 & Marcreek Farms Joint Ventures by James R. Harris Co. for a change in zoning of property located in the 6800 Block of Bob Hanger across to 6800 Old Decatur Road from "A-5" One-Family to "R1" Residential, Zoning Docket No. Z-01-070. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one else present desiring to be heard, Council Member Wentworth made a motion, seconded by Council Member Silcox, that the application of 607 & Marcreek Farms Joint Ventures by James Schell for a change in zoning of property located in the 6800 Block of Bob Hanger across to 6800 Old Decatur Road from "A-5" One-Family to "R1" Residential, Zoning Docket No. Z-01-070, be denied. The motion carried unanimously.

Z-01-047  
Continued until July  
10, 2001

It appeared that the City Council, at its meeting of May 8, 2001, set today as the date for a special hearing concerning application of Henry Rahmani by PCC Consulting Engineers, Inc. for a change in zoning of property located in the 9200 Block of Crowley Road and 2100 Block of Cunningham Road from "AG" Agricultural and "J" Medium Industrial to "A-5" One-Family. Mayor Barr asked if there was anyone present desiring to be heard.

**J. W. Sellers**

**Mr. J. W. Sellers, 19 Legend Road, appeared before Council and stated that he and Mr. Rahmani had a verbal agreement regarding the setback of his property; but since he did not have a written agreement, he was opposed to this zoning**

**Barbara Coyle**

**Ms. Barbara Coyle, 1825 Woodhall Way, appeared and expressed opposition to the application of Henry Rahmani by PCC Consulting Engineers, Inc.**

**There being no one else present desiring to be heard in connection with the application of Henry Rahmani by PCC Consulting Engineers, Inc. for a change in zoning of property located in the 9200 Block of Crowley Road and 2100 Block of Cunningham Road from "AG" Agricultural and "J" Medium Industrial to "A-5" One-Family, Council Member Picht made a motion, seconded by Council Member Silcox, that the special hearing for Zoning Docket No. Z-01-047, be continued until July 10, 2001. The motion carried unanimously.**

**There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Moss made a motion, seconded by Council Member Silcox, that the hearing be closed and that the following ordinance be adopted:**



**ORDINANCE NO. 14664**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.**

**The motion carried unanimously.**

**Adjournment**

**There being no further business, the meeting was adjourned at 9:02 p.m.**